

AUG 25 2006

Atty Docket No. 015389-002616US

PTO FAX NO.: 1-571-273-8300

ATTENTION: Examiner Sisson, Bradley L.

Group Art Unit 1634

**OFFICIAL COMMUNICATION**  
**FOR THE PERSONAL ATTENTION OF**  
**EXAMINER Sisson, Bradley L.**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following documents in re Application of Thomas R. Cech et al., Application No, 09/721,506, filed November 22, 2000 for NUCLEIC ACIDS ENCODING HUMAN TELOMERASE REVERSE TRANSCRIPTASE AND RELATED HOMOLOGS HAVING TELOMERASE ACTIVITY are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Transmittal (1 p.);
2. Fee Transmittal (1 p., submitted in duplicate);
3. Terminal Disclaimer (2 pp.).

Number of pages being transmitted, including this page: 6

Dated: August 25, 2006


  
Yvonne Mock

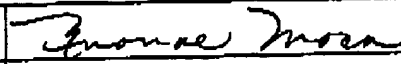
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TOWNSEND and TOWNSEND and CREW LLP  
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Telephone: 650-326-2400  
Fax: 650-326-2422  
0295

PTO/SB/21 (09-04)

<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/721,506	<b>RECEIVED CENTRAL FAX CENTER AUG 25 2006</b>
	Filing Date	November 22, 2000	
	First Named Inventor	Cech, Thomas	
	Art Unit	1634	
	Examiner Name	Sisson, Bradley L.	
	Attorney Docket Number	015389-002616US	
Total Number of Pages In This Submission		5	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 p., submitted in duplicate). <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer (2 pp.). <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <input type="checkbox"/> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Townsend and Townsend and Crew LLP	
Signature		
Printed name	Randolph T. Apple	
Date	August 25, 2006	Reg. No. 36,429

CERTIFICATE OF TRANSMISSION		
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. 1-571-273-8300, on August 25, 2006.		
Signature		
Typed or printed name	Yvonne Mock	Date August 25, 2006

60854427 v1

PTO/SB/17 (01-06)

Fees pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 130**Complete If Known**

Application Number	09/721,506
Filing Date	November 22, 2000
First Named Inventor	Cech, Thomas
Examiner Name	Sisson, Bradley L.
Art Unit	1634
Attorney Docket No.	015389-002616US

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AUG 25 2006

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
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-20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for. If greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
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-3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
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- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal (Statutory) Disclaimer

130

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 36,429	Telephone 650-326-2400
Name (Print/Type)	Randolph T. Apple		Date August 25, 2006

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Yvonne Mock

PATENT  
Attorney Docket No.: 015389-002616US  
Client Ref. No.: 018/210C

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas R. CECH et al.

Application No.: 09/721,506

Filed: November 22, 2000

For: NUCLEIC ACIDS ENCODING  
HUMAN TELOMERASE REVERSE  
TRANSCRIPTASE AND RELATED  
HOMOLOGS HAVING TELOMERASE  
ACTIVITY

Customer No.: 20350

Confirmation No. 5211

Examiner: Bradley L. Sisson

Art Unit: 1634

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The owners, Geron Corporation and the Regents of the University of Colorado, of 100 percent interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,927,285, issued August 9, 2005; and of prior U.S. Patent No. 6,337,200, issued January 8, 2002. Owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by

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PATENT

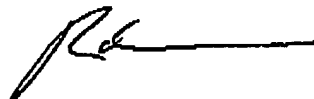
Thomas R. CECH et al.  
Application No. 09/721,506  
Page 2

any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



Randolph Ted Apple  
Reg. No. 36,429

Date: August 25, 2006

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 415-576-0300

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